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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/663,665	09/15/2000	Gregory L. Slaughter	5181-47300	2188

7590   07/13/2007

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EXAMINER
ZHEN, LI B

ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
07/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/663,665	SLAUGHTER ET AL.
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 April 2007</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-22,24-43 and 45-53</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1,3-22,24-43 and 45-53</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 3-22, 24-43 and 45-53 are pending in the application.

Response to Arguments

2.   Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

5.   **Claims 1, 3 – 7, 9 – 22, 24 – 29, 31 – 40, 42, 43, 45 and 47 – 52 are rejected**

under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,754,886 to

Merk et al. [hereinafter Merk] in view of U.S. Patent No. 6,256,690 to Carper.

6.   As to claim 1, Merk teaches the invention substantially as claim including a

method for the exchange of objects in a distributed computing environment [col. 6, line

65 – col. 7, line 4], comprising:

        user accessing a client device [col. 5, lines 2 – 8]; and

        generating a computer programming language object from a data representation

language representation of the object [reconstruct the object, step 150, Fig. 3; col. 6,

lines 35 – 60], wherein the object is an instance of a class in the computer programming

language [col. 5, lines 2 – 8], and wherein the object is accessible for use during the

accessing the client device [JAVA BeanItem objects loadFromCard ( ); col. 6, line 65 –

col. 7, line 4], and the client device receiving a message [read byte array data

containing object, step 140; col. 6, lines 35 – 60] in the data representation language

[byte array data; col. 6, lines 35 – 60], wherein the message includes the data

representation language representation of the object [serialized object; col. 6, lines 35 –

60] from a service device [SmartCards 7, 8; col. 4, line 60 – col. 5, line 3]. Although

Merk teaches the invention substantially as claimed, Merk does not specifically teach

receiving a message from a service device and deleting the computer programming

language object in response to the terminating access.

However, Carper teaches a client device receiving a message in the data

representation language from a service device in the distributed computing environment

[col. 7, lines 1 – 10] prior to the generating a computer programming language object

[col. 7, line 65 – col. 8, line 11], and deleting the computer programming language

object in response to the terminating access [col. 7, lines 35 – 45].

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify the invention of Merk to include the features of Carper

because this clean-up memory space before the session ends [col. 7, lines 19 – 27 of

Carper] and allows data to be stored in persistent memory when power is removed [col.

6, lines 46 – 56 of Carper.

7.   As to claim 10, Merk as modified teaches a method for the secure exchange of

objects in a distributed computing environment [col. 6, line 65 – col. 7, line 4 of Merk],

comprising:

a user accessing a client device [col. 5, lines 2 – 8 of Merk];

the client device receiving a message [read byte array data containing object,

step 140; col. 6, lines 35 – 60 of Merk] in a data representation language [byte array

data; col. 6, lines 35 – 60 of Merk] from a service device in the distributed computing

environment [SmartCards 7, 8; col. 4, line 60 – col. 5, line 3 of Merk], wherein the

message includes a data representation language representation of an object

[serialized object; col. 6, lines 35 – 60 of Merk];

if the determining, determines the user has access rights to the computer

programming language object [col. 8, lines 42 – 59 of Carper], generating the object

from the data representation language representation of the object [col. 6, lines 35 – 60

of Merk], wherein the object is an instance of a class in the computer programming

language [col. 5, lines 2 – 8 of Merk], and wherein the object is accessible for use

during the accessing the client device [col. 6, line 65 – col. 7, line 4 of Merk]; and

if the determining determines the user does not have access rights to the

computer programming language object, not generating the object [col. 10, lines 36 – 45

of Carper].

8.   As to claim 22, this is an apparatus claim that corresponds to method claim 1;

note the rejection to claim 1 above, which also meet this apparatus claim.

9.   As to claim 32, this is a system claim that corresponds to method claim 10; note

the rejection to claim 10 above, which also meet this system claim.

10.   As to claim 43, this is a product claim that corresponds to method claim 1; note

the rejection to claim 1 above, which also meet this product claim.

11.   As to claim 47, this is a product claim that corresponds to method claim 10; note

the rejection to claim 10 above, which also meets this product claim.

12.   As to claim 3, Merk as modified teaches accessing a client device comprises the user coupling an identification device to the client device [col. 4, line 60 – col. 5, line 3 of Merk], wherein the identification device provides identification information of the user to the client device [col. 10, lines 12 – 20 of Carper], and wherein the termination the accessing comprises decoupling the identification device from the client device [col. 7, lines 19 – 29 of Carper].

13.   As to claim 4, Merk teaches the identification device is a smart card [col. 4, line 60 – col. 5, line 3].

14.   As to claim 5, Merk as modified teaches the accessing a client device comprises the user logging on to the client device by providing user identification to the client device [col. 6, lines 37 – 46 of Carper], and wherein the terminating the accessing comprises the user logging off the client device [col. 7, lines 19 – 29 of Carper].

15.   As to claim 6, Merk teaches generating a computer programming language object from a data representation language representation of the object is performed by a virtual machine executing within the client device [col. 5, lines 2 – 8; examiner notes that a virtual machine is inherent to the Java environment].

16.   As to claim 7, Merk as modified teaches generating a plurality of computer programming language objects from data representation language representations of

the objects [col. 6, lines 35 – 60 of Merk], and deleting the plurality of computer programming language objects in response to the terminating access [col. 7, lines 35 – 45 of Carper].

17.   As to claim 9, Merk teaches the computer programming language is the Java programming language [col. 5, lines 2 – 8].

18.   As to claim 11, Merk as modified teaches the message further includes access information for the computer programming language object, wherein the determining if the user has access rights to the computer programming language object uses the access information [col. 8, lines 42 – 59 of Carper].

19.   As to claim 12, Merk as modified teaches deleting the computer programming language object in response to the user terminating access to the client device, wherein the deleted object is not accessible for use by subsequent users of the client device [col. 7, lines 35 – 45].

20.   As to claims 13 – 15, they are rejected for the same reasons as claims 3 – 5 above.

21.   As to claim 16, Merk as modified teaches the user terminating the accessing the client device and storing the computer programming language object in response to the terminating access [col. 8, lines 38 – 44 of Carper].

22.   As to claim 17, Merk as modified teaches the user accessing the client device subsequent to the storing the object and accessing the stored object during the accessing the client device [col. 6, line 65 – col. 7, line 4 of Merk].

23.   As to claim 18, Merk as modified teaches storing access rights information of the user with the object, wherein the accessing the stored object comprises verifying the access rights of the user with the stored access rights information [col. 8, lines 42 – 59 of Carper].

24.   As to claims 19 – 21, they are rejected for the same reasons as claims 6, 8 and 9 above.

25.   As to claims 24 and 25, these are apparatus claims that correspond to method claims 3 and 4; note the rejections to claims 3 and 4 above, which also meet these apparatus claims.

26.   As to claim 26, Merk as modified teaches the device is further configured to

accept user input to initiate the terminating the user access [col. 7, lines 45 – 58 of

Carper].

27.   As to claim 27, this is rejected for the same reason as claim 7 above.

28.   As to claim 28, Merk teaches a processor, a memory [col. 3, lines 12 – 35], and a

virtual machine executed by the processor from the memory, wherein the generating is

performed by the virtual machine [col. 5, lines 2 – 8; examiner notes that a virtual

machine is inherent to the Java environment].

29.   As to claim 29, Merk as modified teaches the accepting, the terminating, and the

deleting are performed by the virtual machine [col. 5, lines 2 – 8 of Merk], wherein the

object is stored in the memory subsequent to the generating, and wherein, in the

deleting, the object is deleted from the memory [col. 7, lines 35 – 45 of Carper].

30.   As to claim 31, this is rejected for the same reasons as claim 9 above.

31.   As to claims 33 – 34, these are system claims that correspond to method claims

11 – 12; note the rejections to claims 11 – 12 above, which also meet these system

claims.

32. As to claims 35 and 36, these are system claims that correspond to method claims 13 and 14; note the rejections to claims 13 and 14 above, which also meet these system claims.

33. As to claim 37, Merk as modified teaches a memory, accept user input to terminate the access of the client device [col. 7, lines 19 – 29 of Carper], and store the computer programming language object to the memory in response to the terminating access [col. 8, lines 38 – 44 of Carper].

34. As to claims 38 and 39, they are rejected for the same reasons as claims 17 and 18 above.

35. As to claim 40, this is rejected for the same reasons as claim 28 above.

36. As to claim 42, this is rejected for the same reasons as claim 9 above.

37. As to claim 45, this is rejected for the same reason as claim 7 above.

38. As to claims 48 – 49, these are product claims that correspond to method claims 11 – 12; note the rejections to claims 11 – 12 above, which also meet these product claims.

39.   As to claim 50, this is a product claim that corresponds to method claim 13; note

the rejection to claim 13 above, which also meet these product claims.

40.   As to claims 51 and 52, these are rejected for the same reasons as claims 16 –

18 above.

41.   Claims 8, 30, 41, 46 and 53 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Merk and Carper further in view of U.S. Patent No. 6,851,089 to

Erickson et al. [hereinafter Erickson, cited in the previous office action].

42.   As to claim 8, Merk as modified does not teach the data representation language

is extensible Markup Language (XML).

        However, Erickson teaches the data representation language is extensible

Markup Language (XML) [XML; col. 25, line 59 – col. 26, line 13 of Erickson].

        It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify the invention of Merk and Carper to incorporate the

features of Erickson because this serializes Java programming objects into a well-

known file format that is widely used on the Web [col. 25, line 58 – col. 26, line 3 of

Erickson].

43.   As to claim 30, this is rejected for the same reasons as claim 8 above.

44.   As to claim 41, this is rejected for the same reasons as claim 8 above.

45.   As to claims 46 and 53, Merk as modified teaches the data representation

language is eXtensible Markup Language (XML) [col. 25, lines 57-67 of Erickson] and

the computer programming language is the Java programming language [col. 5, lines 2

– 8 of Merk].

CONTACT INFORMATION

46.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768.

The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Thomson can be reached on 571-272-3718. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Examiner
Art Unit 2194

LBZ

7/9/2007